

21 C.J.S. Courts § 299

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Courts

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VIII. Concurrent and Conflicting Jurisdiction

B. State and United States Courts


4. Enjoining Proceedings in Other Court

b. Exceptions to Anti-Injunction Act

§ 299. Protection of jurisdiction exception to Anti-Injunction Act

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West's Key Number Digest

West's Key Number Digest, [Courts](#)  508(1), 508(2.1)

The so-called "necessary in aid of jurisdiction" exception to the Anti-Injunction Act permits a federal court to enjoin proceedings in a state court where necessary in aid of its jurisdiction.

The so-called "necessary in aid of jurisdiction" exception¹ to the Anti-Injunction Act² permits a federal court to enjoin proceedings in a state court where necessary in aid of its jurisdiction.³ The "necessary in aid of jurisdiction" language is construed narrowly⁴ and does not invite federal district courts to balance the interests of state courts against their own in determining the propriety of an injunction.⁵ Rather, an injunction is necessary in aid of a federal court's jurisdiction only if some federal injunctive relief is necessary to prevent a state court from so interfering with the federal court's consideration or disposition of a case as to seriously impair its flexibility and authority to decide that case.⁶ The "in aid of its jurisdiction" exception may be used to enjoin

parallel state class action proceedings that might jeopardize a complex federal settlement and state in personam proceedings that threaten to make complex multidistrict litigation unmanageable.⁷

It follows that an injunction to restrain state court proceedings cannot issue under the necessary in aid of jurisdiction exception simply because the state court action involves the same issues⁸ or subject matter before the federal court⁹ or is related to the federal court's jurisdiction.¹⁰ Similarly, the fear that the state court will erroneously apply federal law does not justify an injunction under the exception.¹¹

The necessary in aid of jurisdiction exception does not warrant a federal court's injunction of state court proceedings merely to avoid delay that would result from a trial in the state action.¹² Any time parallel state and federal actions are proceeding against the same defendant, it is conceivable that occurrences in the state action will cause delay in the federal action.¹³ To allow an injunction to avoid delay would, in effect, permit a federal court to issue an injunction anytime it finds it convenient to enjoin related state proceedings, contrary to the rule that doubts as to the propriety of an injunction are to be resolved in favor of permitting the state court to proceed in an orderly fashion to finally determine the controversy.¹⁴ However, where state court action threatens to frustrate federal court proceedings and disrupt the orderly resolution of federal litigation, an injunction may issue under the necessary in aid of jurisdiction exception.¹⁵

Effect of All Writs Act.

A court's authority to issue writs under the All Writs Act,¹⁶ which provides that the federal courts have power to issue all writs "necessary or appropriate in aid of their respective jurisdictions," is broader than the necessary in aid of jurisdiction exception contained in the Anti-Injunction Act.¹⁷ The parallel "necessary in aid of jurisdiction" language is, nevertheless, construed similarly in both the All Writs Act and the Anti-Injunction Act.¹⁸ Consequently, a finding that an injunction is "necessary in aid of jurisdiction" for purposes of one these statutes implies its necessity for purposes of the other.¹⁹

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Footnotes

1 U.S.—Sandpiper Village Condominium Ass'n., Inc. v. Louisiana-Pacific Corp., 428 F.3d 831 (9th Cir. 2005).

2 28 U.S.C.A. § 2283.

- 3 U.S.—Vasquez v. Bridgestone/Firestone, Inc., 325 F.3d 665 (5th Cir. 2003).
- 4 U.S.—Newby v. Enron Corp., 302 F.3d 295, 2 A.L.R. Fed. 2d 593 (5th Cir. 2002).
- 5 U.S.—Retirement Systems of Ala. v. J.P. Morgan Chase & Co., 386 F.3d 419 (2d Cir. 2004).
- 6 U.S.—In re Diet Drugs (Phentermine/Fenfluramine/Dexfenfluramine) Products Liability Litigation, 369 F.3d 293 (3d Cir. 2004); Zurich American Ins. Co. v. Superior Court for State of California, 326 F.3d 816 (7th Cir. 2003); Brother Records, Inc. v. Jardine, 432 F.3d 939 (9th Cir. 2005); Upper Chattahoochee Riverkeeper Fund, Inc. v. City of Atlanta, 701 F.3d 669 (11th Cir. 2012).
- 7 U.S.—Juris v. Inamed Corp., 685 F.3d 1294 (11th Cir. 2012).
- 8 U.S.—State of Tex. v. U.S., 837 F.2d 184 (5th Cir. 1988); Lou v. Belzberg, 834 F.2d 730 (9th Cir. 1987).
- 9 U.S.—Sandpiper Village Condominium Ass'n., Inc. v. Louisiana-Pacific Corp., 428 F.3d 831 (9th Cir. 2005).
- 10 U.S.—In re Diet Drugs, 282 F.3d 220 (3d Cir. 2002).
- 11 U.S.—Zurich American Ins. Co. v. Superior Court for State of California, 326 F.3d 816 (7th Cir. 2003).
- 12 U.S.—Retirement Systems of Ala. v. J.P. Morgan Chase & Co., 386 F.3d 419 (2d Cir. 2004).
- 13 U.S.—Retirement Systems of Ala. v. J.P. Morgan Chase & Co., 386 F.3d 419 (2d Cir. 2004).
- 14 U.S.—Retirement Systems of Ala. v. J.P. Morgan Chase & Co., 386 F.3d 419 (2d Cir. 2004).
- 15 U.S.—In re Diet Drugs, 282 F.3d 220 (3d Cir. 2002).
- 16 28 U.S.C.A. § 1651.
- 17 U.S.—In re Diet Drugs, 282 F.3d 220 (3d Cir. 2002).
- 18 U.S.—Retirement Systems of Ala. v. J.P. Morgan Chase & Co., 386 F.3d 419 (2d Cir. 2004); In re Diet Drugs, 282 F.3d 220 (3d Cir. 2002).
- 19 U.S.—In re Diet Drugs, 282 F.3d 220 (3d Cir. 2002).